

# ***Headquarters U.S. Air Force***

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## **Legislative Update**



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**Briefing to Air  
Section**

**Mr. Wayne  
Gracie  
HQ USAF/REI  
27 January  
2004**



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# ***Overview***

- **FY2004 National Defense Authorization Act**
- **FY2004 Defense Appropriations Act**
- **Other Congressional Issues**
- **The Way Ahead**



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# ***FY04 National Defense Authorization Act Public Law 108-136***

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# ***Tanker Aircraft Retirement***

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**The Air Force plans to retire 68 KC-135 aircraft between FY2004 and FY2006 because of the continuing, rising cost of maintenance**

- - 44 A/C in FY2004, - 16 A/C in FY2005, - 8 A/C in FY2006

## **House (section 131)**

- Establishes account to prepare for lease or purchase rather than retirement of 135s

## **Senate (section 367)**

- Restricts the AF from retiring more than 12 KC-135 aircraft in FY 2004

## **Conference (section 134)**

- SECAF shall ensure that the number of KC-135E aircraft retired in FY04, if any, does not exceed 12 aircraft
- Requires SECAF to submit an analysis of alternatives for meeting the aerial refueling requirements NLT March 1, 2004

## **Status**



# ***Simplification of Annual Participation of Ready Reserve***

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**Typically, reservists are required to perform the equivalent of 38 training days in the form of 48 periods of inactive duty for training (traditionally, four periods over a weekend) and 14 days of AT.**

- **At least 32 other categories of duty status.**

## **House (section 523)**

- **Restates the annual training requirement as 38 days per year**

## **Senate**

- **Not addressed**

## **Conference**

- **Provision not adopted**

**Status - This provision will be amended and resubmitted to Congress for the FY 2005 review**



# ***Military Pay Raise***

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**The PB recommends a range of military pay increases from 2% up to 6.5%, targeted by rank and years of experience. Differential pay increases enhance DOD's ability to retain its most experienced personnel.**

## **House (section 601)**

- **From 2% to 6.5%, most 3.7%**
- **Targeted raise for mid-career**
- **Average 4.1%**

## **Senate (section 601)**

- **Across the board 3.7%**
- **Targeted raise for mid-career**
- **Average 4.15%**

## **Conference**

- **Minimum 3.7 percent**
- **Targeted increases to mid-grade and senior NCOs and mid-grade officers**
- **Average 4.15 percent**

## **Status**



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# ***Annual Pay Adjustment Process***

**Current law requires an annual adjustment of basic pay for military members at 0.5% above the Employment Cost Index (ECI) through 2006 (otherwise equals the increase of GS civilian employees)**

## **House**

- **Not addressed**

## **Senate (section 602)**

- **Requires annual adjustment to equal the ECI (after 2006) in lieu of current ECI - 0.5%**

## **Conference**

- **Requires annual pay raises after FY2006 to be equal to ECI**
- **Maintains existing law that annual raises in FY04 to FY06 be ECI +0.5%**

## **Status**



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# ***Commanders' Responsibility Pay***

**Title 37 USC 306 authorizes special pay to active duty members in positions of unusual responsibility (limits number to 5% of all O-3s and below and 10% of all O-4s, O-5s and O-6s)**

## **House**

- **Not addressed**

## **Senate (section 615)**

- **Authorizes reservists to receive this pay at 1/30<sup>th</sup> of the monthly rate**

## **Conference (section 616)**

- **Authorizes special pay at 1/30<sup>th</sup> of the monthly rate for each day of performance of duty for Reserve officers in positions of unusual responsibility**
- **Limits number to 5% of all O-3s and below and 10% of all O-4s, O-5s and O-6s**

## **Status**





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# ***Use of Commissaries by Reservists***

**Current law authorizes reservists up to 24 visits to the commissary each year for RC members with at least 50 points and gray area retirees and based on participation for members without 50 points**

## **House (section 651)**

- **Auth reservists and retirees use of commissaries on same basis as active duty and dependents**

## **Senate (section 369)**

- **Elim the annual limitation on use of commissaries by reservists with at least 50 pts and retirees**

## **Conference**

- **Allows access to commissary on the same basis as members on active duty for selected reserve members, reserve retirees under age 60, and their dependents and eliminates initial year requirement of 50 points for reserve members**

**Status - DoD Policy Memorandum signed on 24 November 2003**



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# ***Guard & Reserve Health Care***

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- **Sec. 701** Medical and dental screening for Ready Reserve members alerted for mobilization
- **Sec. 702** Coverage for Ready Reserve members under TRICARE program (**expires 31 Dec 2004**)
- **Sec. 703** Earlier eligibility date for TRICARE benefits for members of reserve components (**expires 31 Dec 2004**)
- **Sec. 704** Temporary extension of transitional health care benefits (**expires 31 Dec 2004**)
- **Sec. 705** Assessment of needs of Reserves for health care benefits
- **Sec. 706** Limitation on fiscal year 2004 outlays for temporary Reserve health care programs
- **Sec. 707** TRICARE beneficiary counseling and assistance coordinators for reserve component beneficiaries
- **Sec. 708** Eligibility of Reserve officers for health care pending orders to active duty following commissioning



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# ***FY04 Defense Appropriations Act Public Law 108-87***

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# ***932 Airlift Wing***

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**SEC. 8142. The Secretary of the Air Force, in consultation with the Chief of Air Force Reserve, shall study the mission of the 932<sup>nd</sup> Airlift Wing, Scott Air Force Base, Illinois, and evaluate whether it would be appropriate to substitute for that mission a mixed mission of transporting patients, passengers, and cargo that would increase the airlift capability of the Air Force while continuing the use and training of aeromedical evacuation personnel. The Secretary shall submit a report on the results of the study and evaluation to the congressional defense committees not later than January 16, 2004.**

## **932<sup>nd</sup> Airlift Wing**

**The conferees recommend \$12,200,000 above the budget request for operations at the 932<sup>nd</sup> Airlift Wing, Scott Air Force Base, during fiscal year 2004. Of this amount, \$10,200,000 is to continue operations of C-9 aeromedical evacuation aircraft and \$2,000,000 is for aircrew training in support of a successor mission/airframe (such as the C-40). The conferees also recommend a general provision, section 8142, which directs the Secretary of the Air Force to study the current mission of this airlift wing, and evaluate the possibility of a mixed mission of transporting patients, passengers, and cargo.**

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# **53<sup>rd</sup> Weather Reconnaissance Squadron**

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**SEC. 8122. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53<sup>rd</sup> Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53<sup>rd</sup> Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.**



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# ***FY04 Reserve Personnel***

	PB	HAC	SAC	Conf
<b>PB Request</b>	1,331,888	1,331,888	1,331,888	1,331,888
<b>Unobligated Balances</b>		-4,000	0	-4,000
<b>Reserve Cost Avoidance</b>		-60,000	0	-40,000
<b>Increase in Death Gratuity</b>		0	0	200
<b>Net Change</b>		-64,000	0	-43,800
<b>Revised Budget</b>	1,331,888	1,267,888	1,331,888	1,288,088



# ***FY04 Military Construction***

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Description	FY 04 PB	Conf	Difference
CO-Peterson, Consolidated Aerial Port/Airlift Control Flight Fac	0	7,700	+7,700
GA-Dobbins ARB, Construct North Side Overpass	0	4,200	+4,200
MD-Andrews, Alter Aircraft Maintenance Shops	2,900	2,900	0
MD-Andrews, Hydrant Fuel Sys	7,375	7,375	0
MD-Andrews, Upgrade Airfield Pavements	835	835	0
MN-Minneapolis-St. Paul IAP, Aeromedical Evac Facility	0	3,650	+3,650
MS-Keesler, Fuel Cell Maintenance Hangar	6,650	6,650	0
OR-Portland, Alter Flightline Facilities	2,900	2,900	0
OR-Portland, Fire/Crash Rescue Station	4,300	4,300	0
OR-Portland, Hydrant Refueling System (Phase II)	3,050	3,050	0
Planning & Design	11,142	12,112	+970
Unspecified Minor Construction	5,160	6,360	+1,200
Total	44,312	62,032	+17,720

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# ***AFRC FY04 Equipment Marks***

	<b>PB</b>	<b>HAC</b>	<b>SAC</b>	<b>Conf</b>
<b>Active 3010</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>NGREA, 0350</b>	<b>0</b>	<b>15,000</b>	<b>50,000</b>	<b>45,000</b>
<b>Misc Equipment</b>		<b>15,000</b>	<b>50,000</b>	<b>45,000</b>





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# ***Other Actions***

## ***1<sup>st</sup> Session of the 108<sup>th</sup>***

### ***Congress***

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# ***Selected Retirement Bills***

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## **■ Reserve Retirement**

<b>Bill</b>	<b>Sponso r</b>	<b>Co-S</b>	<b>Description and Last Action</b>
<b>HR33 1</b>	<b>Wilson</b>	<b>29</b>	<b>Immediate annuity; Introduced 1/8/03</b>
<b>HR74 2</b>	<b>Saxton</b>	<b>158</b>	<b>Lower retirement age to 55; Introduced 2/12/03</b>
<b>S445</b>	<b>Landrieu</b>	<b>2</b>	<b>Retirement buydown; Introduced 2/25/03</b>



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# ***Service Members' Civil Relief Act***

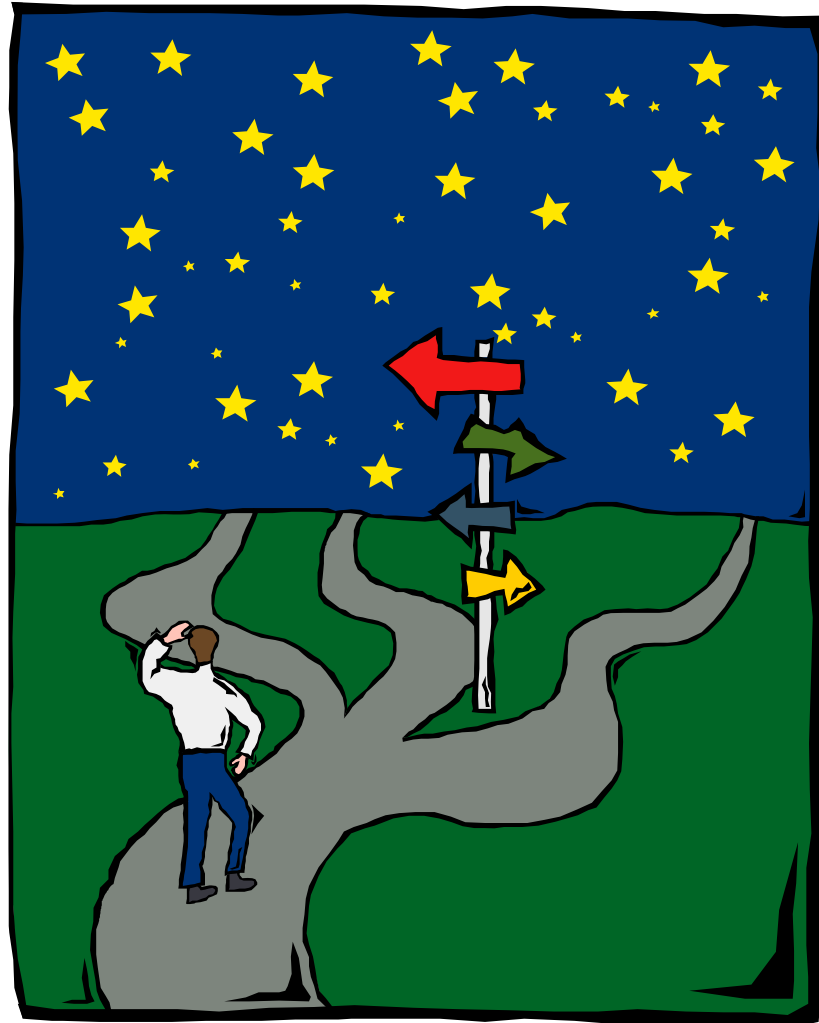
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- **Replaces Soldiers' and Sailors' Civil Relief Act of 1940**
- **Public Law 108-189, signed by Pres. Bush 19 Dec 2003**
- **New Provisions**
  - **Automatic Stay of Civil Proceedings**
  - **6% Limitation on Interest on Pre-Service Debts**
    - **Requires Reduction in Monthly Payments**
    - **Interest in Excess of 6% is Forgiven**
  - **Increases Lease Eviction From \$1200 to \$2400 w/o Court Order**
  - **PCS Orders of 90 Days or More → Right to Terminate Housing Lease with 30 Days Notice**
  - **Added Protection for Motor Vehicle Leases**



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# *The Way Ahead...*



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# ***Hot Issues***

- **Rebalancing**
- **Volunteerism**
- **Reserve Component Health Care**
- **BAH Reform**
- **Reserve Retirement**
- **Reserve Personnel Appropriation Funding**
- **Recruiting & Retention**



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# ***Summary***

- **FY 2004 legislation is very favorable to reservists and their family members**
- **Several issues to be worked in the future**
- **Legislation is a dynamic process with numerous key players**
  - **To ensure the Congress is informed of Reserve Component capabilities and accomplishments**
- **REI is available:**
  - **DSN 223-2452, 703-693-2452**
  - **[www.re.hq.af.mil/rei/welcome.htm](http://www.re.hq.af.mil/rei/welcome.htm)**



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# *Questions?*



# AIR FORCE RESERVE

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*A B O V E & B E Y O N D*

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